

**Philip Isbell – Chief Planning Officer**  
**Sustainable Communities**

**Mid Suffolk District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## **LISTED BUILDING CONSENT**

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**  
**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1992**

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**Correspondence Address:**

Whitworth  
18 Hatter Street  
Bury St Edmunds  
IP33 1NE

**Applicant:**

The Trustees of TA Harwood  
1 Church Road  
Battisford  
Stowmarket  
IP14 2HQ  
Suffolk

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**Date Application Received:** 21-Aug-18

**Application Reference:** DC/18/03788

**Date Registered:** 22-Aug-18

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**Proposal & Location of Development:**

Application for Listed Building Consent. Works to curtilage listed barns to facilitate change of use and conversion to 5No dwellings.

Battisford Hall Barns , Battisford Hall, Church Road, Battisford

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled A received 21/08/2018 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan A - Received 21/08/2018  
Elevations - Existing 18416SE-01 A - Received 21/08/2018  
Plans - Existing Existing floor plans and elevations 18416SE-02 A - Received 21/08/2018  
Floor Plan - Existing 18416SE-03 A - Received 21/08/2018  
Plans - Proposed Proposed floor plans, elevations and section the Mill 5103-25 C - Received 25/02/2019  
Plans - Proposed Proposed floor plans, elevations and section the Cart lodge 5103-26 A - Received 21/08/2018  
Schedule Of Works A - Received 21/08/2018  
Heritage Statement A - Received 21/08/2018  
Plans - Proposed 5103-23 C - Received 09/05/2019  
Plans - Proposed 5103-24 D - Received 09/05/2019  
Plans - Proposed 5103-16 D - Received 25/02/2019

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**Section B:**

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **LISTED BUILDING CONSENT HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

3. ACTION REQUIRED PRIOR TO COMMENCEMENT: DETAILS OF SAFETY MEASURES FOR BUILDINGS

Prior to the commencement of any works, details of measures to be taken to secure the safety and stability of the structure to be retained (including any supporting structures, strengthening of any walls or vertical surfaces, or of any floors, roof or horizontal surfaces, provision of protective measures against weather, the submission of a fire safety strategy and a construction method statement) shall have been submitted to and approved, in writing, by the Local Planning Authority. The approved measures shall thereafter be carried out at such time and in such manner as approved.

Reason: In order to ensure that the retained parts of the building are adequately protected during the development works.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO GRAIN BARN: BUILDING SURVEY AND RECORDING

Prior to the commencement of any works, with the exception of the removal of the steel grain bins or such other initial work to allow access to the building as may be agreed with the Local Planning Authority, an appropriate programme of building recording (including

architectural/historical analysis) shall be carried out in respect of the building identified as the Grain Barn. This record shall be carried out by an archaeologist or building recorder, or an organisation with acknowledged experience in the recording of standing buildings who shall have previously been agreed, in writing, by the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has previously been agreed, in writing, with the Local Planning Authority.

Reason: To secure the proper recording of the listed building.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO OPEN BARN: BUILDING SURVEY AND RECORDING

Prior to the commencement of any works, an appropriate programme of building recording (including architectural/historical analysis) shall be carried out in respect of the building identified as the Open Barn. This record shall be carried out by an archaeologist or building recorder, or an organisation with acknowledged experience in the recording of standing buildings who shall have previously been agreed, in writing, by the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has previously been agreed, in writing, with the Local Planning Authority.

Reason: To secure the proper recording of the listed building.

6. ACTION REQUIRED PRIOR TO WORKS TO OPEN BARN: ADDITIONAL DETAILS OF POD STRUCTURE

Notwithstanding the details shown within the submitted drawings, additional architectural section drawings of the proposed pod structure within the Open Barn at appropriate scale shall be submitted to, and agreed in writing, with the local planning authority prior to any works to the building identified as the Open Barn.

Thereafter, works to install the pod shall be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt as to the scope of the permission and to ensure that the historic building is preserved from any other potentially harmful works.

7. ACTION REQUIRED PRIOR TO COMMENCEMENT: TIMBER FRAME SURVEYS

No works shall take place until an accurate survey of all the barns has been submitted to and approved, in writing, by the Local Planning Authority, including all elevations and at least two cross sections showing the position and condition of every part of the timber frame and roof structure. The survey shall be drawn to a scale of 1:50 or a similar and appropriate scale and shall be annotated or coloured to clearly indicate which timbers are to be incorporated in the conversion and which, if any, are to be replaced and shall also show the relationship of all new external openings, doors and windows to the elements of the timber frame. The conversion of the building shall thereafter be carried out and completed in all respects in accordance with the drawings and details approved or such amendments as may be agreed, in writing, with the Local Planning Authority prior to the building being first brought into the new use hereby permitted.

Reason: To enable the Local Planning Authority to be satisfied that the detailed works proposed are a genuine conversion of the building in the spirit of this permission and in order not to devalue the exception to the normal restrictive Development Plan policies for development in rural areas.

8. ACTION REQUIRED PRIOR TO INSTALLATION OF ISULATION: SCHEDULE OF WORKS

Prior to the installation of any insulating material, whether applied internally or externally to the barns hereby approved for conversion, a full schedule detailing the use and type of insulation, including manufacturers literature, shall be submitted to and agreed in writing, with the local planning authority.

For the avoidance of doubt, this shall include section drawings through masonry walls, timber framed walls, eaves and floor structures as well as the external and internal finishes.

Reason: In the interests of preserving the character and appearance of the buildings and their setting.

**SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:**

- NPPF - National Planning Policy Framework
- FC01 - Presumption In Favour Of Sustainable Development
- FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development
- CS05 - Mid Suffolk's Environment
- HB01 - Protection of historic buildings
- HB03 - Conversions and alterations to historic buildings
- HB05 - Preserving historic buildings through alternative uses
- HB14 - Ensuring archaeological remains are not destroyed

**NOTES:**

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. **Listed Building Note**

This listed building consent relates solely to the plans, drawings, notes and written details submitted with the application or as subsequently amended in writing and referred to in this notice. Any variation of the works or additional works found necessary before work starts or while work is in progress or required under the Building Regulations, or by the County Fire Services or environmental health legislation may only be carried out after approval by the Local Planning Authority. Unauthorised modifications, alterations or works not covered by this consent may constitute an offence under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and may render the applicant, owner(s), agent and /or contractors liable to enforcement action and/or prosecution.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: [infrastructure@baberghmidsuffolk.gov.uk](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/18/03788

**Signed: Philip Isbell**

**Dated: 30th March 2021**

**Chief Planning Officer  
Sustainable Communities**

## **Important Notes to be read in conjunction with your Decision Notice**

### **Please read carefully**

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

**Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development.** Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

### **Discharging your obligations under a condition:**

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

### **Building Control:**

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

## Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990  
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements\*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

\*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.